

REMARKS

In response to the Office Action mailed March 16, 2010, Applicant hereby requests reconsideration of the rejections based upon the claim amendments and arguments submitted herewith. Claims 1-6 were presented for examination, of which all were rejected, with the following issues being raised:

1. The Abstract was objected to on the basis of informalities;
2. Claims 1-6 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite;
3. Claims 1-6 were rejected under 35 U.S.C. § 101 on the basis that they are directed toward both an apparatus and a process; and
4. Claims 1-6 were rejected under 35 U.S.C. § 102(a) as anticipated by U.S. Patent No. 3,651,965 to Simonelli et al. ("Simonelli").

Following the above amendments to the claims, claims 1-6 have been canceled, and claims 7-12 have been added to the application, with claim 7 being independent. Support for the newly added claims is found at least in canceled claims 1-6, which were originally filed with the application.

The Abstract has been amended to remove the language identified as inappropriate under MPEP guidelines.

Indefiniteness Rejections

Applicant submits that the cancellation of claims 1-6 renders the indefiniteness rejection moot. Applicant further submits that new claims 7-12 fully comply with the requirements of 35 U.S.C. § 112, second paragraph.

Patentable Subject Matter Rejections

Applicant submits that the cancellation of claims 1-6 renders the rejection based upon patentable subject matter moot. Applicant further submits that new claims 7-12 fully comply with the requirements of 35 U.S.C. § 101.

Anticipation Rejections

Applicant submits that the cancellation of claims 1-6 renders the anticipation rejection moot. In addition, new claim 7 recites that the rectangular frames include both "a first fixed section" and "a moving section movable between an extracted position ... and a withdrawn position". Simonelli does not disclose these limitations, as Simonelli discloses a wheel chair ramp which includes rectangular frames having only fixed sections, and not having any moving sections. For at least this reason, Applicants submit that new claims 7-12 are not anticipated by Simonelli.

Conclusion

For the foregoing reasons, Applicant requests withdrawal of all rejections and objections.

A 1 month extension of time is hereby requested pursuant to 37 C.F.R. §1.136(a), for which the appropriate fee is submitted herewith. The undersigned believes no additional extensions or fees are due with this response. However, if an additional extension is needed or a fee is due, please consider this a request therefor and charge Deposit Account No. 03-2775, under Order No. 21029-00312-US1, from which the undersigned is authorized to draw.

Dated: July 14, 2010

Respectfully submitted,

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